

Serial No.: 10/007,255  
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### REMARKS

Applicant respectfully requests reconsideration. Claims 14, 15, 50 and 51 were previously and are still pending in this application. Claim 50 has been amended. Support for the amendment of claim 50 may be found on page 5, line 32 – page 6, line 4 and on page 43, lines 1-10 of the application as filed. No new matter has been added.

Applicant would like to thank the Examiner for discussing the FINAL Office Action during a telephone interview on March 27, 2006. The substance of the discussion is reflected in the set of amended claims.

### Allowable Subject Matter

Claims 14 and 15 have been allowed.

### Rejections Under 35 U.S.C. § 112

Applicant acknowledges the Examiner's withdrawal of the previous rejections under 35 U.S.C. § 112.

### Rejections Under 35 U.S.C. §102

The Examiner rejected claims 50 and 51 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,968,735.

The Examiner asserts that U.S. Patent No. 5,968,735 teaches an isolated nucleic acid comprising instant SEQ ID NO. 9. According to the Examiner, claim 50 is rejected because the claim "as currently construed is not clear whether 'complement of the foregoing' is limited to only the full complement of each of the recited SEQ ID Nos."

Claim 50 has been amended to overcome the rejection. Claim 51 depends from claim 50. Accordingly, withdrawal of this rejection is respectfully requested.

### CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

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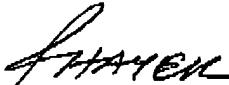
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If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

March 27, 2006

Respectfully submitted,  
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